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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Ding	Confirmation No.:	3400
Serial No.:	10/679,057	Art Unit:	1762
Filed:	October 3, 2003	Examiner:	Michener, J.K.
For:	MEDICAL DEVICE WITH POROUS SURFACE FOR CONTROLLED DRUG RELEASE AND METHOD OF MAKING THE SAME	Attorney Docket No.:	10177-239-999
		CAM No.:	008563-999236

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated December 13, 2005 of the Primary Examiner finally rejecting claims 1, 3, 4, 6-8, 11-13 and 29 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for 3 month(s):
   - ☐ was filed on .
   - ☒ is submitted herewith.
2. ☒ A fee in the amount of **$500.00** is:
   - ☒ Required.
   - ☐ Not required (Fee paid in prior appeal).
3. ☐ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of **$250.00** is:
   - ☐ Required.
   - ☐ Not required (Fee paid in prior appeal).
4. ☒ Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: June 5, 2006

Susie S. Cheng — 46,616 (Reg. No.)

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